

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCES

Attorney Docket No.:  
DIVER 1260-3



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In re Application of:  
Jay M. Short

Application No:  
09/421,629

Filed:  
October 19, 1999

For: PROTEIN ACTIVITY SCREENING

Group Art Unit: 1652

Examiner: Nashed Nashaatt

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Applicants hereby appeal to the Board of Appeals from the decision dated February 15, 2002 of the Examiner rejecting claims 32-47.

1.	<input checked="" type="checkbox"/>	Appeal Fee (37 C.F.R. 1.17(b))	
		other than small entity	\$320.00
	<input checked="" type="checkbox"/>	small entity	\$160.00

2.	<input checked="" type="checkbox"/>	A petition and fee for an extension of time for reply to the rejection is attached.						
	<input checked="" type="checkbox"/>	Extension Fee (37 C.F.R. 1.17(a))						
		Other than small entity						
		\$110.00	\$400.00	\$920.00				\$1,440.00
	<input checked="" type="checkbox"/>	Small entity						
		\$55.00	\$200.00	\$460.00	<input checked="" type="checkbox"/>			\$720.00

08/06/2002 AWONDAF1 00000135 09421629

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Applicants:

Jay M. Short

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Atty. Docket No.: DIVER1260-3



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3.	<input checked="" type="checkbox"/>	Enclosed is a check in the amount of \$880.00 (\$160.00; to file the Notice of Appeal and \$720.00 for the Three (3) Month Extension of Time fee). The Commissioner may charge any additional fees associated with the filing submitted herewith, or credit any overpayment, to Deposit Account No. 50-1355.
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July 31, 2002

Date

A handwritten signature of Lisa A. Haile.

Lisa A. Haile, Ph.D.  
Registration No. 38,347  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, California 92121-2133

**CERTIFICATION UNDER 37 CFR 1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, **July 31, 2002**, addressed to: Box AF, Commissioner for Patents, Washington, D.C. 20231.

Cara Grifone  
(Name of person mailing paper)

Cara Grifone  
Signature

July 31, 2002

Date



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jay M. Short

Art Unit: 1652

Serial No.: 09/421,629

Examiner: N. Nashed

Filed: October 19, 1999

Title: PROTEIN ACTIVITY SCREENING

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Commissioner of Patents  
Washington, D.C. 20231

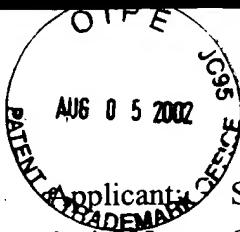
TRANSMITTAL SHEET

Sir:

Transmitted herewith for the above-identified application please find:

1. Notice of Appeal from the Final Office Action mailed February 15, 2002 (2 pages);
2. Declaration for Patent Application – executed (3 pages);
3. Petition for Three (3) Months Extension of Time (2 pages);
4. Check No. 515267 in the amount of \$880.00; and
5. Return Receipt Postcard.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, July 31, 2002, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.	
Cara Grifone (Name of Person Mailing Paper)	
Cara Grifone (Signature)	July 31, 2002 (Date)



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PATENT  
ATTORNEY DOCKET NO.: DIVER1260-3

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Page 2

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Enclosed is Check No. 515267 in the TOTAL amount of \$880.00; which consists of \$160.00 for the Notice of Appeal fee and \$720.00 for the Three (3) Months Extension of Time fee. The Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Lisa A. Haile, J.D., Ph.D.  
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USPTO Customer Number 28213

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